

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

1

The Minutes

September 6, 2002

AMENDED

C036534 THE PEOPLE v. BUELOW (Not for Publication)

The judgment is modified to award defendant 158 days of presentence conduct credit. As so modified, the judgment is affirmed. The trial court is directed to prepare new abstract of judgment reflecting 158 days of presentence conduct credit. We also note a clerical error in the abstract of judgment. At sentencing, the trial court imposed a "restitution fine of [\$3,400], together with an additional restitution fine in the same amount pursuant to [section 1202.45]." The abstract of judgment does not reflect the fine imposed pursuant to section 1202.45. The new abstract must include this fine also and a certified copy of the new abstract should be sent to the Department of Corrections.

DAVIS, Acting P.J.

We concur: Nicholson, J.
 Morrison, J.

C037767 THE PEOPLE v. OLSEN (Not for Publication)

C038141 The judgment is modified in the following respects:

Case No. 99F09199: Pursuant to Penal Code section 1464, a \$150 penalty assessment is imposed with regard to the \$150 drug program fee imposed pursuant to Health and Safety Code section 11372.7. We also impose a \$105 penalty assessment pursuant to Government Code section 76000.

Case No. 00F05368: We impose a \$50 laboratory analysis fee pursuant to Health and Safety Code section 11372.5, along with a \$50 penalty assessment pursuant to Penal Code section 1464 and a \$35 penalty assessment pursuant to Government Code section 76000.

In addition, we note that the current abstract incorrectly states that in case No. 00F05368 the court ordered defendant to register as a "sex offender" rather than as a "narcotics offender."

As modified, the judgment is affirmed. The trial court shall prepare a new abstract of judgment that accurately reflects the modifications and the correct registration requirement. A copy of the new abstract shall be sent to the Department of Corrections.

DAVIS, Acting P.J.

We concur: Nicholson, J.
 Morrison, J.

2

The judgment of dismissal is reversed, and the case is remanded with instructions to vacate the order sustaining the demurrer and to enter a new order overruling the demurrer. Costs on appeal are awarded to Petiet.

NICHOLSON, J.
We concur: Davis, Acting P.J.
Callahan, J.